

## REMARKS

A non-final Office Action dated 30 June 2004 rejected all of the pending claims, Claims 1-20. The Office Action rejected Claims 1-20 under 35 U.S.C. §102(e) as being anticipated by Price [United States Patent Application 2003/0193411]. Additionally, the Office Action rejected Claims 1-20 as being unpatentable over Suiter [6,690,299].

### Amendments

Applicant has amended the claims to indicate that the waypoints are displayed on a primary flight display at the horizon. A primary flight display has always included an artificial horizon, e.g. Konicke, et al. USP 4,860,007 at Col. 2, Lines 28-9. An artificial horizon is included as it is the most important of the several indicators placed on a primary flight display (“PFD”) for purposes of maintaining proper and safe attitude during flight. The artificial horizon is the most notable and regularly monitored enunciator portrayed on the primary flight display.

As amended, the independent claims place the waypoints at the artificial horizon display making them occupy a position within the region occupying the immediate scope of attention of the pilot. By placing the indicators at the horizon, the pilot may more immediately absorb the information without distracting the pilot from such other information as the PFD may indicate.

With regard to Price as a reference against all of the pending claims, Claims 1 through 20. At paragraph 0024, the teaching of Price displays the waypoints on the “heading scale at a point that corresponds to the selected waypoint.” In the alternative, the marker is placed on the extreme end of the heading scale corresponding to the direction by which the placement of the waypoint would exceed the scale.

A second method for teaching the display of waypoints at the paragraph 0030 as the tethered balloons as targets for aiming the aircraft at the route. This is distinct from the teaching of the present application which simply places the waypoints on the horizon. The remainder of the teaching of Price does not relate to a PFD with a VMR display generated on the PFD and therefore are not relevant to the claims in the instant application.

As to the rejection of Claims 1 through 20 as anticipated by Suiter (U.S. Patent 6,690,299), Suiter actually teaches away from placing waypoints on the horizon. Instead, Suiter teaches the use of a three-dimensional flight path, for display (Col. 7, Lines 50-56):

The waypoint-centered map shows the position and future flight path of the aircraft in a three-dimensional format similar to the tactical mode display format. Aircraft reference symbol 92 in FIG. 1 is shown in the center of the display indicating the display is in the tactical mode display format. If the aircraft is on the flight path, the three-dimensional flight path 94 extends forward from the aircraft position, leaving the display space below the aircraft available to increase the situational awareness of the flight crew by providing past temporal information. This information includes the past position altitude of the aircraft. This information may be displayed by a series of vertical lines 96 rising from the grid behind the aircraft showing the position and latitude history of the aircraft.

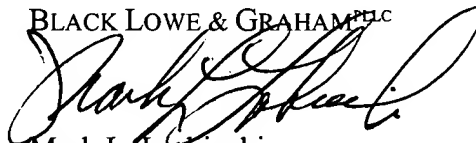
#### CONCLUSION

The objections to the drawings and the claims have been overcome. Claims 1, 13, 19 are amended to include the limitation that the waypoints be placed on the horizon on the PFD. The remainder of the claims depending from one of these independent claims, therefore, also include the limitation of waypoints at the horizon.

For the reasons set forth above, the applicant believes the claims to be in a condition for allowance. The applicant requests that the Examiner direct any questions or concerns to the applicant's attorney, the undersigned.

Respectfully submitted,

BLACK LOWE & GRAHAM<sup>PLLC</sup>



Mark L. Lorbiecki

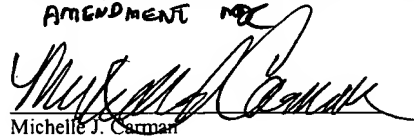
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I hereby certify that this communication is being deposited with the United States Postal Service via First Class Mail under 37 C.F.R. § 1.08 on the date indicated below addressed to: MAIL STOP ~~REC~~ <sup>AMENDMENT</sup>, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

11/1/04  
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Michelle J. Carman